I & C

App. F. IX-4

1926-27

File No. 300-26

Previous References

Serial Nos. 1–4, 9–11

Later References

PRESERVED

I & C 188-27 (7, 8)
" 300-26-(34, 60 & 61)
" 14-29 (1-18)
" 47-34 (10, 11, 18, 28, 31)

General and Revenue Secretariat.

Serial Nos. Seven

(10)

Part B for [illegible]

SUBJECT

Introduction of legislation on the line of the Indian Trade Union Act 1926.

D 4793-80 dt 8.11.27

Director of Civil

Members of Committee

Constitute a Committee to go into this.

Question of _____

Secy

Bill 5th July 28

Serial No.

from the Bangalore Textile Labour union

No. 12 Dt 25-2-27

tels copy of a resolution passed at the Genl meeting of the union to the effect that the Govt be requested to introduce into the State legislation on the lines of the Trades union Act.

2 The (Protection Br) for kind perusal a copy of the Trades union Act.

Instr 5.3.27. VB WP 8/3

Secy 8/3

2 There is no copy of the Act available in this Branch. The Volumes of the Acts for India available in the Library or the issues of the Gazette of India may be looked into.

Asst 8/3 3 Please find out the volume or gazette & put up.

Secy 9/3 8/3

4 The Secretariat copy containing the Act is sent up.

Asst 9/3 9/3/27 5 Please see page 146 ante

(Pro Br) 9/3

6 The opinion of the Govt of India will, if appd, be called for in the first instance

yes Instr 11.3.27. VB

Sec'y D) WP 16/3

16/3

7 Yes

WP 22/3 22 3 27

NOTE. Contn. Sheet

WD 01229—GPB—37 500—1-9-26
App F III—2

General and Revenue Secretariat

Dte File No. 300 of 1926

Serial No.	
2	From the Dy. D/Dte. G.904/GS. 10.3.27 Forwarding copy of Resolution of the Bihar Legislative Council urging for the introduction into Bihar of the Trades Union Act & recommending for the reasons assigned that legislation on the lines of the Act may be introduced into the State. The above letter received in the Secretariat from the Dy. D/Dte recommending the introduction of the legislation in Bihar. The opinion of the Chamber of Commerce & the Dte. Committee may perhaps be obtained in the first instance. Submitted for orders Sd/- 22.3.27 1 May be referred to the Board of Indn. & Commerce, for their views. Sec'y. D) 24/3 Sd/- 11. 24.3.27 12 Submitted with a draft. Sd/- 30.3.27 13 Approved/ Submitted for perusal before issue. 1st Mr) 31/3 14 Nil 2/4/27 15 Issued 4/4/27 16 The Secy. Bd. of Dte. D.817 dt. 4.4.27 Calls for the opinion of the Bd. of Dte. on the proposal.

Sec A

1 APR. 1927

GENERAL & REV. SECRETARIAT, ARMY BRANCH.

NOTE—Contn. Sheet

Serial No.

16. The subject was discussed at the monthly meeting.

Decision:—

Action may be taken to place the general principles before the R. A. at its next Session."

11268/2/5

17 Please put it N. In the meanwhile remind Bd of the etc.

WP 22/4/27.

to a reminder to Secy. Bd. 9/5

18 D. F. N. Subs

Subs 26.6.27 | This is a Council matter

19 Two offs for appl.

Secy D) WP 28/4

25/5 (1st Member)

1 5 27

20. Sir Charles Sethna's letter re Workmen's Compensation Bill will apply to this Bill also. It is desirable to consider both matters together at next meeting of Council.

WP 2/5

lee 3/5

3 5 27

WP 3/5

21 The file re- Workmen's compensation Act has been separately Subs. (5763)

Resubs with refce to para 20.

5763/Secy. 11.5.

Subs 11.5.27

Secy D) WP 12/5

NOTE—Contn. Sheet

5249

App. F. III—2]

General and Revenue Secretariat.

D.O. File No. 300 of 1926

4

Serial No.

✓ Subd for orders, with refce to para 20 (1st Members' minute). The need for legislative action is set forth in the D.F.W. portion of same, which is in the file.

✓ Sir Charles Todhunter's letter refd to in the minute is withlinked file. It contains a suggestion (it seems to me only a suggestion) that before introducing legislation which might possibly be at variance with arrangements voluntarily made by large employers of labour, such employers might with advantage be consulted. This was in connection with the Workmen's Compensation Act.

✓ In the present case, legislation is not likely to affect any existing arrangements made by employers (and the suggestion therefore would not seem applicable) the expediency of the proposed measure is based on the need to regulate and control an inevitable movement which is bound to come, & of which we already see the beginnings. Govt can control labour effectively only if labour is organised, & the proposed legislation legalises and recognises such organisation. (It may perhaps be

It was this consideration which influenced the decision at the monthly meeting on 22.4.27

NOTE—Contn. sheet

5049

App. F. III—2]

General and Revenue Secretariat. | File No. 5/6 of 1926 | 5

Serial No.

mentioned that in the recent troubles at the Buring Mills (Tyrone Mills) it was an organisation unrecognised by law that provided a useful medium for negociation)

2. The formalities connected with legislative action provide ample safeguards against precipitance and abundant opportunities for all interests and shades of opinion to express themselves. Whether, in these circumstances, it is necessary to consult employers of labour, before even initiating legislation is a point for orders.

2nd Member (Dewsin)

26.6.27
25.6.27

P.T.O

OFFICE OF THE SECOND MEMBER OF COUNCIL
27 JUNE 1927
No. 7772

NOTE—Contn. sheet

GPB—5,000—30-3-27

General and Revenue Secretariat. I. & C File No. 300 of 1926. 6

Serial No.

9. The questions to be considered are these: (1) is it necessary to undertake legislation immediately for promoting the growth of Trade Unions on proper lines? and, (2) if it is necessary, what should be the principal provisions of the law to be enacted?

10. We have only a very few Labour Unions so far in the State, four as reported by the Director of Industries & Commerce. The position in this respect is not different in British India except in industrial centres like Bombay and Ahmedabad. Labour is mostly unorganised and without association it cannot protect its interests by collective bargaining, ventilation of grievances, and defining of demands. It is, therefore, necessary, I think, to ~~afford facilities for~~ encourage the formation and registration of Trade Unions and to give them sufficient protection to enable them to safe-guard the interests of labour and to work steadily for its betterment. Trade Unions, if properly conducted, will help employers to settle points of disputes with labour and they are also calculated to promote industrial peace.

11. We may follow the principles embodied in the Indian Trade Unions Act, 1926. There are two points in which we need not, I think, follow

NOTE—Contn: sheet

General and Revenue Secretariat. I. & C. File No. 300 of 1926.

7

Serial No.

follow the British Indian Law and they are: (1) a separate fund for political purposes; and, (2) proportion of the Executive staff of a Trade Union which should be connected with the industry concerned.

29 In the Bill originally framed by the Government of India, there was no provision for permitting a Trade Union to have a separate fund for political purposes. This is what the Government of India stated on the subject:-

> "The question of the inclusion of political objects among those upon which funds can be expended has received careful consideration and following the great majority of replies received, the Government of India have decided to exclude such objects from the list. This will not prevent Trade Unions or their leaders from advocating political policies, but it will ensure that funds contributed primarily for Trade Union purposes are not expended on causes in which the bulk of the members have little interest."

30 Labour leaders in the Legislative Assembly, however, brought pressure to bear upon the Government of India, when the Bill was in the Select Committee stage, to insert a new clause providing for the constitution of a separate fund for political purposes. I do not think we need follow the Government of India in this respect, at any rate for the present. A political fund may be necessary where there is a regularly

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

Serial No.

regularly organised Labour Political Party. It is not desirable for Trade Unions to get mixed up with politics, at any rate, in the early stages of the movement. Even some labour leaders hold that labour, in its present condition in India, should enlist the good-will of all parties and that it should not ally itself with one party and thus antagonise others. It would be well if the activities of Trade Unions are confined to their immediate object of improving the conditions of labour. We may, in these circumstances, not adopt the provision regarding the constitution of political funds ~~contained~~ in the British Indian Act.

37. The British Indian Law provides that not less than one half of the total number of officers of every Trade Union shall be persons actually engaged in the industry concerned. To what extent outsiders should be permitted to influence the working of Trade Unions is an important point for consideration. It is common experience in India that the entire management of Trade Unions often rests in the hands of a few professional men. Except in rare cases in which the guiding outsiders are disinterested persons working entirely for the good of labour, the advice of outsiders dominating the actions

NOTE—Contn. sheet

of

Serial No.

of Labour Unions does more harm than good to labour. Labour in India is mostly ignorant and illiterate and Trade Unions therefore require the help of some outsiders to enable them to express their views. It is desirable to reduce the outside element as far as possible with a view to ensure that the management of a Trade Union is really representative of the views of the workers concerned. I would, therefore, suggest that the proportion of officers of a Trade Union directly engaged in the industry concerned may be fixed at three-fourths instead of at one-half as in the British Indian Law.

17 In the early stage of the measure, the Government of India thought of making the Executive of Trade Unions responsible for the prevention of the issue of orders authorising picketing in any form. In view, however, of the objections raised to this proposal, the Government of India decided not to include in the Bill any provision relating to picketing. Picketing which does not go beyond peaceful persuasion, is permitted and when it degenerates into intimidation, it has to be dealt with under the ordinary criminal law. Our law also need not contain any provision regarding picketing.

NOTE—Contn. sheet

The

10

Serial No.

33 The only other important principles of the contemplated law to be considered are the privileges to be allowed in the form of immunity from civil ~~xxx~~ suits and criminal prosecutions directed against Trade Unions and their members. The provisions in regard to immunity from Civil suits in certain cases contained in the British Indian law, we may adopt. There is however, no need to provide for any immunity from criminal prosecutions as the only question is that of conferring protection from the law relating to conspiracy and as, I believe, we have no sections in our Penal Code corresponding to Sections 120 A and 120 B of the Indian Penal Code dealing with criminal conspiracy. This is, however, a matter requiring verification in the Law Department.

34 Recently, the Government of the United Kingdom made some changes in its Trade Union law and we may see whether there is any need for us to adopt any of them. The modification made were with the object of providing for the following four propositions:

(1) a general strike is illegal and no man should be penalised for refusing to take part in it;

(2) intimidation is illegal and no man should be compelled to abstain from work against his will;

NOTE—Contn. sheet

(3)

WD 0324—GPB—60,000—24-5-27

Serial No.

(3) no man should be compelled to subscribe to the funds of any particular party unless he so desires;

and (4) any person entering into the established Civil Service must give his undivided allegiance to the State.

35 The Trade Union movement is yet in its infancy here and it will take a long time before Unions are organised for all trades, industries and occupations. The fear, therefore, of a general strike or of sympathetic strikes on a large scale is remote and we need not, therefore, think of making any provision for declaring that a general strike is illegal. As for intimidation, it may, for the present, be left to be dealt with under the ordinary criminal law. As for subscribing to the funds of any particular party, I have suggested that the Bill should not contain any provision permitting the constitution of funds for political purposes. At the time of the last general strike in England, Civil Servants were subjected to pressure from Trade Unions to which they belonged or from the Trade Union Congress to which the Unions were affiliated with a view to turn them against Government and induce them to refuse to volunteer their help in maintaining the essential services of the country. The fear of any Civil Service organization

NOTE—Contn. sheet

defying

Serial No.

defying Government is very remote and no provision in this respect also need, therefore, be made in our law.

34 With the permission of the Dewan, the questions relating to the necessity of undertaking legislation and the general principles of legislation require to be considered in Council and prompt action may be taken in this matter.

35 The preliminary draft of a Bill modelled on the British Indian Act and drawn up upon the lines stated above is placed below. It has to be scrutinised in the Law Department. The attention of this Department may be particularly invited to the changes made in Sections 11 and 14 of the British Indian Act, the omission of Section 17 thereof, and, the provisions contained in Sections 18 and 19 thereof proposed to ~~ex~~ be incorporated in full.

36 As stated by the Development Secretary, it is not necessary, I think, to invite the opinions of representatives of capital and labour interests before placing the principles of the proposed legislation before the Representative Assembly. These interests will have sufficient time and opportunity to express their views when the measure is before the

Representative

NOTE—Contn. sheet

App. F. III—2]

General and Revenue Secretariat I & C. | File No. 300 of 1926. | 13

Serial No.

LEWAN'S OFFICE.
Received on
22 SEP. 1927
Reg. No. 2159

Representative Assembly and the Legislative Council.

A Memorandum explaining the main principles of the measure may be prepared to be submitted to the Representative Assembly.

A Statement of Objects and Reasons with brief notes on the more important of the clauses of the Bill may also be drawn up.

The Board of Industries & Commerce has requested that copies of the draft Bill may be supplied for circulation to its members. The Bill, after its principles are approved in Council and after all its provisions are scrutinies of it supplied to the Secretary, by the Law Department, may be printed f Industries & Commerce.

Mule 14.9.27

Just a line to remind the Chief Sec^y that Trades Unions legislation was discussed tabled at the last meeting of the Council

19.9.27

DFR, 7 statements. principles in appl.

19.9.27

Mule 19-9-27

Ch. Sec^y

19.9.27

Secy. Com. & Ind.

GPR—60,000—24-5-27

Final Note by the Second Member of Council.

Subject:—

Introduction of legislation on the lines of the Indian Trades ~~Association~~ Unions Act of 1926.

The development of industries has led to the employment of labour on a large scale; and in Mysore, as in the rest of India, labour is manifesting a growing self-consciousness, accompanied with a desire to organise itself for protecting and furthering its interests by collective bargaining, ventilation of grievances and formulation of demands. This movement, which is natural and desirable in itself, has to be recognised and directed on right lines; and to this end it is necessary to provide for some measure of registration and State control.

2. In British India, associations of labour are regulated by Act XVI of 1926 - Indian Trades Union Act. There is, at present, no similar enactment in Mysore. That a desire to form similar associations exists in Mysore is evidenced by the fact that four labour unions have already been formed. One of these has been registered under the Charitable Societies Regulation (III of 1904) which, however, does not strictly apply to associations other than those specifically intended for the promotion of literature and general culture. The other three unions have applied for registrations under the same Regulation. It is obvious that the time has arrived for legislative action to recognise and register Trades Unions in Mysore.

3. As our conditions are not dissimilar to those in British India, it is proposed to introduce legislation on the lines of the Indian Trades ~~Association~~ Unions Act of 1926, adapted suitably to our requirements. It is not considered necessary to invite the opinions of ~~special~~ representatives of capital and labour in advance

advance, as these interests will have sufficient time and opportunity for expressing their views when the measure is before the Representative Assembly and the Legislative Council.

4. The question was discussed in Council on the 17th instant, and it was resolved that legislation on the above lines be undertaken and that the principles underlying it be placed before the Representative Assembly at its next session.

Page 13 of Office Notes B

5. I solicit His Highness' gracious sanction for taking the necessary further action.

Bangalore,
19th September 1927.

MEMBER OF COUNCIL.

16

Submitted to His Highness.

5\ I submit herewith a Final Note by the Second Member of Council on the subject of Introduction of legislation on the lines of the Indian Trades Union Act of 1926 for His Highness' gracious approval.

Mirza M. Ismail
Dewan.
22-9-27

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Introduction of legislation on the lines of the Indian Trades Union Act of 1926.

Order.

D.O. No. 72
Enc one file

The Palace, Mysore,
24th September 1927.

My dear Mirza,

May I venture to ask whether your legislative programme and other undertakings would permit of a little more time being taken for consideration before you introduce legislation to deal with the question of trade unions ?

In making this suggestion I should like to say at the outset that I do not intend by it any criticism of the draft Bill which is put up for the purpose of adapting the British Indian Law to the circumstances of Mysore.

The question that presents itself to me is whether, in Mysore, having a comparatively small and homogeneous area to deal with, having a clean sheet to write upon, and having much more power of getting legislation passed without amendment than either England or British India, you are not in a position to produce something that will be much more beneficial to the development of the country at large than the law you are at present proposing to copy.

I do not pretend to a knowledge of the various disputes, compromises and legal decisions that have been responsible for the English Law in its present form, but I think I am right in saying that, in the first instance, the legislators tried to ignore the unions; they then found themselves forced to take action by decisions of the courts; by the time they did so, the matter had become so acute a question of party politics that anything like a clearly thought-out scheme was impossible.

Again I don't pretend to have any ready-made scheme to offer. There is a great abundance of literature on the subject, and you would need a really able economist to study this and build you up the principles of a proper measure on the basis of the abundant mistakes that have been made in other countries. I would venture to prophesy, however, that in any such ideal measure you would find prominence given to the ideas of brotherhood, co-operation

and mutual benefit, while the question of settlement of disputes would fall into the second place. Another question that seems to be of considerable importance is whether an attempt should not be made, not only to limit the numbers of outsiders ~~to~~ in the unions, but also to limit the payments that may be made to them. While quite agreeing that workmen under present conditions in India need some one to help them to formulate their grievances, I think it will be generally agreed that the paid labour agitator is a parasite on the community at large and the workmen in particular, and that the creation of a body of that class is to be avoided by every possible means. In fact I am not sure it would not be well to prohibit paid organisers as distinguished from clerks and accountants, altogether.

Yours sincerely,

G Godframt

General and Revenue Secretariat. I & C File No. of 192

Serial No.

Reference:- D.O.No. 72 dated 24th September 1927 from the Private Secretary to His Highness to the Dewan, re. the Trade Unions Bill.

58 There is no special urgency about this legislative measure and its consideration may, therefore, be deferred, and the question referred to Mr. N.S.Subba Rao.

59 Sir Charles does not state on what lines he proposes to modify the proposed measure. I do not think that conditions in Mysore in this respect are different from those in British India and the general principles of the law enacted there are, I believe, suitable to the State. The law which is now in force in British India and on which the Bill under consideration is modelled, deals only with the registration of Trade Unions and the protection to be afforded to them. Sir Charles states that the question of the settlement of disputes — apparently between capital and labour — should take a subordinate place. But this question is an independent one and does not fall within the province of the law now proposed. He also states that any "ideal measure" dealing with this subject would give prominence to the ideas of brotherhood, co-operation and mutual benefit ~~between capital and labour, or~~ It is not quite clear whether brotherhood, co-operation, and mutual benefit are between capital and labour or among

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

Serial No.

among the members of a Trade Union. The Bill proposed provides for the latter, and not for the former which is beyond its scope.

(c) As regards "outsiders" on the executive staff of a Union, Sir Charles would not only limit their number, but also limit payments to them, or if possible, prohibit payments to them altogether. I am not sure if this suggestion is practicable. The payment of salaries and allowances, and expenses to officers of a Trade Union is one of the legitimate objects on which the funds of the Union could be spent. If payment of salaries to "ordinary" members of a Union is allowable, I do not see how it is possible to prohibit such payment to "outside" members altogether. If permission is given for outsiders to be taken as officers of a Union —— and this permission is considered necessary in view of the fact that most of the members of Unions are ignorant and illiterate — I do not see how we can prevent any kind of payment to such members for the services rendered by them. It would, of course, be very desirable if Unions could get honorary outsiders to help them; but such disinterested help is often not available. The proposed law provides for sufficient publicity of the monetary transactions

NOTE—Contn. sheet.

Serial No.

DEWAN'S OFFICE.
Received on
27 SEP. 1927
Reg. No. 22232

transactions of Trade Unions and also for their proper audit, and these provisions will, to an undue extent, prevent the appropriation of the funds of Unions by "outside" executives

(4) As I have stated above, this measure is not particularly urgent and if it could be improved by further consideration, there is no objection whatever to defer it; and it need not be included in the legislative programme to be placed before the ensuing session of the Representative Assembly.

DEWAN.)

Mule
26.9.27

(5) I agree - we may take man himself over the bill, as there is really no great hurry about it - & ask Mr Subba Rao if he has any suggestions to make on the subject.

MS
26-9-27

(6) For perusal of above

Hon'ble Member.) 27/9

MHL
(4) 28-9-27

HF
29.9.27

Dr
29/9

OFFICE OF THE SECRETARY TO GOVERNMENT OF COUNCIL
28 SEP. 1927
No. 1677

NOTE—Contn. sheet.

WD 0824—GPB—60,000—24-5-27

GEN. & REV. SECRETARIAT
29 SEP. 1927
DEVEL BRANCH.

DEWAN'S MINUTE.

FILE No. 192

DEWAN'S OFFICE.
Received on
28. SEP. 1927
Sph. No. Memo. No. 262.

6) II Members with Compliments

In connection with the Trade Unions Regulation which we want to introduce, I would suggest the appointment of a Committee with Sir Brajendranath Seal as Chairman, Members being Mr R.S. Subba Rao, a representative each of Labour, Capital, one or two others if necessary. They might be asked to frame the regulation.

Dr I
28-9-27

6) A draft may be put up. The labour representative may be the labour Member of L.C. and the Cap representative either Mr. D.N. Sircar or Mr. Nye. The Dir. of I and C may also be one of the members.

Dev. Secy
With compliments

Dr I
28.9.27

1702
28/9

7) Please put up after G.O.

29.9.27

29/9

8) Submit with a draft G.O.

30.9.27

9) Please see instructions on draft

1.10.27

General and Revenue Secretariat. File No. 360 of 1926. —

Serial No.

DEWAN'S OFFICE.
Received on
10. OCT. 1927
2507

OFFICE OF THE SECOND MEMBER OF COUNCIL
9 OCT. 1927
No. 1890

70 Subd. with a typed draft.
Turner 1.10.27
Dewtsey)

5/10

71 Type as revised
8 10 27

72 Typed draft is put up.
8/10

2nd Member
8 10 27

Dewan)
9/10/27
9 10 27
9.10.27

Has Sir B. Seal been consulted with regard to the personnel of the Committee? If not, it may be seen. I think it would be better if we can get Mr D'Souza or some one else from the Engg Dept of SOC. may be a member

11—10—27

If fresh file for personnel Dr Seal will be written to

OFFICE OF THE SECOND MEMBER OF COUNCIL
13 OCT. 1927
No. 1960

Note.—Contn. sheet.

Issue 14.10.27

WD 0321—GPB—60,000—24-5-27.

Member
13/10/27
13-10-27
12 10 27
12.10.27

3838 2811 25

App. F. III—2]

General and Revenue Secretariat. File No. 300 of 1926.

Serial No.

DEWAN'S OFFICE.
Received on
2. NOV. 1927
R.G. No. 2950.

9

To The Vice Chancellor
no 105 camp 15.10.27
tds. draft g.o. constituting a com. to go into the question & asks for his suggestions as to the personnel of the com.

Sir

GEN. & REV. SECRETARIAT.
18 OCT. 1927
DEVELOPMENT BRANCH.

From Sir B. N. Seal
D.O. dt 22.10.27
proposes messrs. M. C. Ranjiengar & K. B. Madhava as addl. members of the proposed com. & suggests that the date for the submission of the draft will be altered to end of June.

77 The vice-chancellor's suggestions will, if appd., be incorporated in the draft go. Sub for personal orders

Dr Thurn
27.10.27

Dr Thurn
27.10.27

THE
OF COUNCIL.
1 OCT. 1927
2289
No.....

Dr Seely)

78 The names suggested by the V.C. have been included in the draft, wh is submitted accdg

27/10

2d Member
Dewan

79 Time may be extended as suggested by Sir B. N. Seal

31/10/27 VS

1.11.27

1.11.27

1-11-27

1/11

A. Jehu

Draft approved 2-11-27

NOTE—Contn. sheet.

WP 0321—GPB—60,000—24-5-27

3038 26

App. F. III—2]

General and Revenue Secretariat. File No. 306 of 1926

Serial No.	
11	To The Hon. Sir ... The Members of the Committee D.4793-80 / 8th Nov. 27 Constitutes a Com. to inqr. the question of introducing into the State legislation on the lines of the Trades Unions Act & submit a draft bill.

B & Sons

GEN. & REV. DEPARTMENTS. DEVELOPMENT BRANCH. 17 NOV. 1927

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

The Bangalore Textile Labour Union.

(Registered under Regulation No. III of 1904.)

M. Ramachandra Rao Sindhia,
President.
G. B Raghavendrachar, B.A.,
Secretary.

Date 25th February 1927.

NEW TARAGPET,
BANGALORE CITY.

No. 12

5410

LEN. & REL. SECT.

1 MAR. 1927

DEVELOPMENT BRANCH.

Dev. Br. 26/2

Ir 300 - 26 - 1

To

The Chief Secretary to the Govt. of His Highness the Maharaja of Mys.
Bangalore

Sir,

I have the honour to forward herewith a copy of the resolution passed unanimously at the general meeting of the Union held on the 19th instant

The resolution reads as under:-

"Resolved that the Government of His Highness the Maharaja of Mysore, be respectfully approached to introduce the "Trades Union Act," as existing in British India, into the Mysore Legislature

I have the honour to be
Sir,
your most obedient Servant
M Ramachandra Rao Sindhia
President.

WD 01229—GPB—37,500—1-9-26
Ann. F III—21.

D.O No. 2461/Ge 300-26— 2

General and Revenue Secretariat,

Bangalore, 27th Septr. 1927.
(Camp) Mysore.

28/9/27 28/9

GEN. & REV. SECRETARIAT
28 SEP. 1927
DEVELOPMENT BRANCH.

Dear Mr. Nagappa,

It has been decided to omit the Trade Unions Bill from the programme of business to be placed before the Dasara Session of the Representative Assembly. I am to request that you will kindly take action to have this deleted from the agenda, if it has already been put in there.

Yours sincerely,
(Sd.) N. Madhava Rao,
Chief Secretary to Govt.

B. Nagappa, Esqr., Bar-at-Law
Secretary to Govt., Law Department.

P. T. O.

3

27th. Septr.

(Camp) Mysore, ~~24~~ 7

No 2461/ Ste 300-26—

Dear Mr. Nagappa,

It has been decided to omit the Trade Unions Bill from the programme of business to be placed before the Dasara Session of the Representative Assembly. I am to request that you will kindly take action to have this deleted from the agenda, if it has already been put in there.

Yours sincerely,

B. Nagappa, Esqr., Bar-at-Law,
Secretary to Govt., Law Department.

No. 2462/ Dated 27-9-7

Copy of the above is forwarded, with compliments to the Secretary to Govt., Development Departments for information. The file of papers will be forwarded after circulation.

By order,

Chief Secretary to Govt.

PRINCIPLES OF TRADE UNIONS LEGISLATION.

The development of industries has led to the employment of labour on a large scale; and in Mysore, as in the rest of India, labour is manifesting a growing self-consciousness, accompanied with a desire to organise itself for protecting and furthering its interests by collective bargaining, ventilation of grievances and formulation of demands. This movement, which is natural and desirable in itself, has to be recognised and directed on right lines; and to this end, it is necessary to provide for some measure of registration and State control.

2. In British India, associations of labour are regulated by Act XVI of 1926 -Indian Trades Union Act. There is at present no similar enactment in Mysore. That a desire to form similar associations exists in Mysore is evidenced by the fact that four labour unions have already been formed. One of these has been registered under the Charitable Societies Regulation (III of 1904) which however, does not strictly apply to associations other than those specifically intended for the promotion of literature and general culture. The other three unions have applied for registration under the same Regulation. It is obvious that the time has arrived for legislative action to recognise and register Trades Unions in Mysore.

3. Since the conditions in Mysore are not dissimilar to those in British India, our legislation may be modelled broadly on the Indian Trades Union Act of 1926; but some adaptations are necessary to

to ~~make~~ amt it more exactly to our requirements.

4. The salient features of the proposed legislation will be the following:-

(i) A registered Trades Union will be a body-corporate under the name by which it is registered, with perpetual succession and common seal and the power of acquiring property and entering into contracts. It will also be capable of suing and being sued. After the enactment of the Trades Union - Regulation, ~~all~~ no such union can be registered under any other ~~Act~~ enactment

(ii) The Regulation will define the objects ~~with~~ for which the funds of ~~the~~ a Trades Union can be spent, and ~~this~~ while leaving full liberty of action in all legitimate fields of activity connected with the administration of the corporation and the fulfilment of its legitimate functions, will still furnish a safeguard against misuse of its resources ~~by interested parties or for undesirable objects.~~

(iii) Neither ~~the~~ a Trades Union nor any officer or member of a Trades Union will be liable to a legal proceeding in any civil court on account of acts done in contemplation or furtherance of a trade dispute with which the Union is concerned. Agreements between the members of a registered Trades Union will not be void or voidable merely by reason of the fact that they are in restraint of trade.

~~(4) In regard to eligibility for membership,~~ (iv) Any person who has attained the age of 15 years may become a member; but no person shall be eligible to be an officer unless he has attained the age of 18 years.

§5. Perhaps the most important consideration that arises in regard to the working of the Trades Union is the scope that can be allowed to outsiders in its decisions and policy, meaning by outsiders persons not actually employed or engaged in any industry with which the Trades Union is concerned. So long as the great majority of our working men are illiterate and ignorant, a certain amount of outside help is necessary; but such assistance is rarely disinterested; and if uncontrolled, it tends to dominate over the best interests of the union and to exclude, or at least obscure, a real expression of the views of the workers themselves. The best course would be to fix the proportion of outside officers at a minimum such as would secure assistance without too much outside influence domination. It is proposed to fix the proportion of outsiders to a fourth of the total number of officers in each Trades Union.

§6. A Trades Union can be registered on an application by seven or more persons, accompanied by a copy of the rules and a statement of certain details, including the objects with which the Union has been formed, the purposes for which the funds of the Union will be applicable and the manner in which it may be dissolved. The Registrar has power to call for such additional information as he considers necessary. The Registrar may also refuse the registration or cancel registration once granted in case it has been obtained by fraud or mistake, or in case that the Trades Union has ceased to exist, or in case it is found to have committed a breach of some essential rule or condition. In such cases, an appeal is allowed to a Court judge

~~who may be appointed~~ indicated by Government in this behalf, and there will also be a second appeal to the Chief Court.

§7. For dissolution, a notice signed by seven members and by the Secretary has to be sent to the Registrar and if he is satisfied that it is in accordance with the rules of the Trades Union, he shall register it and the dissolution shall have effect from the date of such registration.

§8. A set of returns will be prescribed such as will enable the Registrar to keep himself fully informed of the receipts and expenditure, the names of office-bearers, and the changes, if any, in the rules and regulations of the Trades Union.

§9. Government will have power to make rules for carrying into effect the provisions of the enactment.

10. ~~A provisional draft of the Trades Unions Bill is hereto annexed for reference and to facilitate the discussion of the general principles underlying the legislation.~~

Mucc
20/9/27

No. of 1927.

Bill

A ~~Regulation~~ to provide for the registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions in Mysore.

Whereas it is expedient to provide for the registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions in Mysore; It is hereby enacted as follows:-

Chapter I.

Preliminary.

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Trade Unions Regulation.

(2) It extends to the whole of Mysore.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,--

(a) "executive" means the body, by whatever name called, to which the management of the affairs of a Trade Union is entrusted;

(b) "officer", in the case of a Trade Union, includes any members of the executive thereof, but does not include an auditor;

(c) "prescribed" means prescribed

by rules made under this Regulation;

(d) "registered office" means that office of a Trade Union which is registered under this Regulation as the head office thereof;

(e) "registered Trade Union" means a Trade Union registered under this Regulation;

(f) "The Registrar" means the Registrar of Trade Unions appointed by the Government under section 3;

(g) "trade dispute" means any dispute between employers and workmen or between workmen and workmen, or between employers and employers which is connected with the employment or non-employment, or the terms of employment or the conditions of labour, of any person, and "workmen" means all persons employed in trade or industry whether or not in the employment of the employer with whom the trade disputes arise; and

(h) "Trade Union" means any combination whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and employers or between workmen and workmen, or between employers and employers, or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more Trade Unions:

Provided that this Regulation shall not affect -

(i) any agreement between partners as to their own business;

(ii) any agreement between an employer and those employed by him as to such employment;

(iii) any agreement in consideration of the sale of the goodwill of a business or of instruction in any profession, trade or handicraft.

Chapter II.

Registration of Trade Unions.

Appointment of Registrars.

3. The Government shall appoint a person to be the Registrar of Trade Unions.

Mode of registration.

4. Any seven or more members of a Trade Union may, by subscribing their names to the rules of the Trade Union and by otherwise complying with the provisions of this Regulation with respect to registration, apply for registration of the Trade Union under this Regulation.

Application for registration.

5. (1) Every application for registration of a Trade Union shall be made to the Registrar, and shall be accompanied by a copy of the rules of the Trade Union and a statement of the following particulars, namely -

(a) the names, occupations and addresses of the members making the application;

(b) the name of the Trade Union and the address of its head office;

(c) the titles, names, ages, addresses and occupations of the officers of the Trade Union.

(2) Where a Trade Union has been in existence for more than one year before the making of an application for its registration, there shall be delivered to the Registrar, together with the application, a general statement of the assets and liabilities of the Trade Union prepared in such form and containing such particulars as may be prescribed.

Provisions to be contained in the rules of a Trade Union.

6. A Trade Union shall not be entitled to registration under this Regulation, unless the executive thereof is constituted in accordance with the provisions of this Regulation, and the rules thereof provide for the following matters namely --

(a) the name of the Trade Union;

(b) the whole of the objects for which the Trade Union has been established;

(c) the whole of the purposes for which the funds of the Trade Union shall be applicable, all of which purposes shall be purposes to which such funds are lawfully applicable under this Regulation;

(d) the maintenance of a list of the members of the Trade Union and adequate facilities for the inspection thereof by the officers and members of the Trade Union;

(e) the admission of the ordinary members who shall be persons actually engaged or employed in an industry with which the Trade union is connected, and also the admission of the number of honorary or temporary members as officers required under Section 20 to form the

form the executive of the Trade Union ;

(f) the conditions under which any - member shall be entitled to any benefit assured by the rules and under which any fine or forfeiture may be imposed on the members ;

(g) the manner in which the rules shall be amended varied or rescinded ;

(h) the manner in which the members of the executive and the other officers of the Trade Union shall be appointed and removed ;

(i) the safe custody of the funds of the Trade Union, an annual audit, in such manner as may be prescribed, of the accounts thereof, and adequate facilities for the inspection of the account books by the officers and members of the Trade Union ; and

(j) the manner in which the Trade Union may be dissolved.

Power to call for further particulars and to require alteration of name.

7. (1) The Registrar may call for further information for the purpose of - satisfying himself that any application - complies with the provisions of section 5, or that the Trade Union is entitled to registration under section 6, and may refuse to register the Trade Union until such information is supplied.

(2) If the name under which a - Trade Union is proposed to be registered is identical with that by which any other existing Trade Union has been registered or,

or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either Trade Union, the Registrar shall require the persons applying for registration to alter the name of the Trade Union stated in the application, and shall refuse to register the Union until such alteration has been made.

Registration.

8. The Registrar, on being satisfied that the Trade Union has complied with all the requirements of this ~~Act~~ Regulation in regard to registration, shall register the Trade Union by entering in a register, to be maintained in such forms as may be prescribed, the particulars relating to the Trade Union contained in the statement accompanying the application for gegistration.

Certificate of registration.

9. The Registrar, on registering a Trade Union under section 8, shall issue a certificate of registration in the prescribed form which shall be conclusive evidence that the Trade Union has been duly registered under this Regulation.

Cancellation of registration.

10. A certificate of registration of a Trade Union may be withdrawn or cancelled by the Registrar -

(a) on the application of the Trade Union to be verified in such manner as may be prescribed, or

(b) if the Registrar is satisfied that

18

with such order.

(3) For the purpose of the inquiry, the Judge may summon and enforce the attendance of witnesses and compel them to give evidence as if he were a Civil Court ; and he may also direct by whom the whole or any part of the costs of the enquiry shall be paid, and such costs shall be recovered as if they had been awarded in a suit under the ~~Civil Procedure~~ Code of Civil Procedure 1911

V of 1908.

III of 1911

(4) In the event of the dismissal of an appeal under sub-section (2), the person aggrieved shall have the right of appeal to the ~~Chief~~ High Court.

Registered Office.

12. All communications and notices to a registered Trade Union may be addressed to its registered office. Notice of any change in the address of the head office shall be given within fourteen days of such change to the Registrar in writing, and the changed address shall be recorded in the register referred to in section 8.

Incorporation of registered Trade Unions.

13. Every registered Trade Union shall be a body corporate by the name under which it is registered, and shall have perpetual succession, and a common seal with power to acquire and hold both moveable and immoveable property and to contract, and shall by the said name sue and be sued.

Certain Regulations not to apply to registered Trade Unions.

14. The following Acts, namely :-

(a) The Societies Registration Regulation, 1904.

(b) The Co-operative Societies Regulation , 1905.

(c) The Mysore Companies Regulation, 1917

shall not apply to any registered Trade - Union, and the registration of any such - Trade Union under any such Act shall be void.

.....

Chapter III.

Rights and Liabilitées of registered Trade Unions.

...

Objects on which funds may be spent.

15. The funds of a registered Trade - Union shall not be spent on any other objects than the following, namely :-

(a) the payment of salaries, allowances and expenses to officers of the Trade - Union ;

(b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the funds of the Trade Union ;

(c) the prosecution of defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing

securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs ;

(d) the conduct of trade disputes on behalf of the Trade Union or any member thereof ;

(e) the compensation of members for loss arising out of trade disputes;

(f) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members ;

(g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness, accident or unemployment ;

(h) the provision of educational , social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependants of members ;

(i) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such;

(j) the payment, in furtherance of any of the objects on which the funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in

workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accured to the funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year; and

(k) subject to any conditions contained in the notification, any other object notified by the Government in the official Gazette.

Immunity from civil suit in certain cases.

16. (1) No suit or other legal proceeding shall be maintainable in any Civil Court against any registered Trade Union or any officer or member thereof in respect of any act done in contemplation or furtherance of a trade dispute to which a member of the Trade Union is a party on the ground only that such act induces some other person to break a contract of employment, or that it is in interference with the trade, business or employment of some other person or with the right of some other person to dispose of his capital or of his labour as he wills

(2) A registered Trade Union shall not be liable in any suit or other legal proceeding in any Civil Court in respect of any tortious act done in contemplation or furtherance of a trade dispute by an agent of the Trade Union if it is proved that such person acted without the knowledge of, or contrary to express instructions given by, the executive of the Trade Union.

Enforceability of agreements.

17. Notwithstanding anything contained in any other law for the time being in force, an agreement between the members of a registered Trade Union shall not be void or voidable merely by reason of the fact that any of the objects of the agreement are in restraint of trade :

Provided that nothing in this section shall enable any Civil Court to entertain any legal proceeding instituted for the express purpose of enforcing or recovering damages for the breach of any agreement concerning the conditions on which any members of a Trade Union shall or shall not sell their goods, transact business, work, employ or be employed.

Right to inspect books of Trade Union.

18. The account books of a registered Trade Union and the list of members thereof shall be open to inspection by an officer or member of the Trade Union at such times as may be provided for in the rules of the Trade Union.

Rights of minors to membership of Trade Unions

19. Any person who has attained the age of fifteen years may be a member of a registered Trade Union subject to any rules of the Trade Union to the contrary, and may, subject as aforesaid, enjoy all the rights of a member and execute all instruments and give all acquittances necessary to be executed or given under the rules :

Provided that no person who has not attained the age of eighteen years shall be an officer of any such Trade Union.

Proportion of officers to be connected with the industry.

20. Not less than three-fourths of the total number of officers of every registered Trade Union shall be persons actually engaged or employed in an industry with which the Trade Union is connected :

Provided that the Government may, by special or general order, declare that the provisions of this section shall not apply to any Trade Union or class of Trade Unions specified in the order.

Change of name

21. Any registered Trade Union may, with the consent of not less than two-thirds of the total number of its members and subject to the provisions of section 23 change its name.

Amalgamation of Trade Unions.

22. Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such Trade Unions or either or any of them, provided that the votes of at least one-half of the members of each or every such Trade Union entitled to vote are recorded and that at least sixty per cent of the votes recorded are in favour of the proposal.

Notice of change of name or amalgamation.

23. (1) Notice in writing of every change of name and of every amalgamation, signed, in the case of a change of name, by the Secretary and by seven members of the Trade Union changing its name, and, in the case of an amalgamation, by the Secretary and by seven members of each and every Trade Union which is a party thereto, shall be sent to the Registrar.

(2) If the proposed name is identica with that by which anyn other existing Trade Union has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either Trade Union, the Registrar shall refuse to register the change of name.

(3) Save as provided in sub-section (2) the Registrar shall, if he is satisfied that the provisions of this Act in respect of change of name have

have complied with, register the change of name in the register referred to in section 8, and the change of name shall have effect from the date of such registration.

(4) The Registrar shall, if he is satisfied that the provisions of this Act in respect of amalgamation have been complied with and that the Trade Union formed thereby is entitled to registration under section 6, register the Trade Union in the manner provided in section 8, and the amalgamation shall have effect from the date of such registration.

Effects of change of name and of amalgamation.

24. (1) The change in the name of a registered Trade Union shall not affect any rights or obligations of the Trade Union or render defective any legal proceeding by or against the Trade Union, and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.

(2) An amalgamation of two or more registered Trade Unions shall not prejudice any right of any of such Trade Unions or any right of a creditor of any of them.

Dissolution.

25. (1) When a registered Trade Union is dissolved, notice of the dissolution signed by seven members and by the Secretary of the Trade Union shall, within fourteen days of the dissolution, be sent to the Registrar, and shall be registered by him if

if he is satisfied that the dissolution has been effected in accordance with the rules of the Trade Union, and the dissolution shall have effect from the date of such registration.

(2) Where the dissolution of a registered Trade Union has been registered and the rules of the Trade Union do not provide for the distribution of funds of the Trade Union on dissolution, the Registrar shall divide the funds amongst the members in such manner as may be prescribed.

Returns

26. (1) There shall be sent annually to the Registrar, on or before such date as may be prescribed, a general statement, audited in the prescribed manner, of all receipts and expenditure of every registered Trade Union during the year ending on the 30th day of June next preceding such prescribed date, and of the assets and liabilities of the Trade Union existing on such 30th day of June. The statement shall be prepared in such form and shall comprise such particulars as may be prescribed.

(2) Together with the general statement there shall be sent to the Registrar a statement showing all changes of officers made by the Trade Union during the year to which the general statement refers, together also with a copy of the rules of the Trade Union corrected up to the date of the despatch thereof to the Registrar.

(3) A copy of every alteration made in the rules of a registered Trade Union shall be sent to the Registrar within fifteen days of the making of the alteration.

Chapter. IV.

Rules.

Power to make rules.

27. (1) The Govdrnment may make rules for the purpose of carrying ∅ into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) The manner in which Trade Unions and the rules of Trade Unions shall be registered and the fees payable on registration;

(b) the manner in which, and the qualifications of persons by whom, the accounts of registered Trade Unions or of any class of such Unions shall be audited

(c) the conditions subject to which inspection of ~~the~~ documents kept by the Registrar shall be allowed and the fees which shall be chargeable in respect of such inspections; and

(d) any matter which is to be or may be prescribed.

Publication of rules.

28. (1) The power to make rules conferred by section 28 is subject to the condition of the rules being made after previous publication.

(2) The date to be specified in accordance with clause (3) of section 23 of the General Clauses Act ..... as that after which a draft of rules proposed to be made will be taken into consideration shall not be less than three months from the date on which the draft of the proposed rules was published for general information.

(3) Rules so made shall be published in the official Gazette, and on such publication shall have effect as if enacted in this Regulation.

Chapter V.

Penalties and Procedure.

Failure to Submit returns

29. (1) If default is made on the part of any registered Trade Union in giving any notice or sending any statement or other document as required by or under any provision of this Regulation, every officer or other person bound by the rules of the Trade Union to give or send the same, or, if there is no such officer or person, every member of the executive of the Trade Union, shall be punishable with fine which may extend to five rupees and, in the case of a continuing default, with an additional fine which may extend to five rupees for each week after the first during which the default continues.

Provided that the aggregate fine shall not exceed fifty rupees.

(2) Any person who wilfully makes, or causes to be made, any false entry in, or any omission from, the general statement required by section 26 or in or from any copy of rules or of alterations of rules sent to the Registrar under that section, shall be punishable with fine which may extend to five hundred rupees.

Supplying false information regarding Trade Unions

30. Any person who, with intent to deceive, gives to any member of a registered Trade Union or to any person intending or applying to become a member of such Trade Union any document purporting to be a copy of the rules of the Trade Union or of any alterations to the same which he knows, or has reason to believe, is not a correct copy of such rules or alterations as are for the time being in force, or any person who, with the like

intent, gives a copy of any rules of an unregistered Trade Union to any person on the pretence that such rules are the rules of a registered Trade Union, shall be punishable with fine which may extend to two hundred rupees.

Cognisance of offences

31. (1) No Court inferior to that of a Magistrate of the first class shall try any offence under this ~~Act~~ Right

(2) No court shall take cognizance of any offence under this Act, unless complaint thereof has been made by, or with the previous sanction of, the Registrar or, in the case of an offence under section 30, by the person to whom the copy was given, within six months of the date on which the offence is alleged to have been committed.

.....

TELEGRAPHIC ADDRESS: "INDUSCOM"

In reply please refer to No. G 904-65 Encl

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

OFFICE OF THE DIRECTOR,

Dated Bangalore, the 10th March *1927*.

FROM

C. Ranganatha Rao Sahib Esq., B. A., B. L.,
Offg. *Director of Industries and Commerce in Mysore,*
(Bangalore India).

DEVELOPMENT BRANCH. 5 MAR 1927

To

The Secretary to Government,
Development Departments,
Bangalore.

Please put up the Bill for enactment

A copy in file

SIR,

I have the honour to enclose herein for the information of Government copy of letter dated 25-2-1927 from the President of the Bangalore Textile Labour Union forwarding copy of Resolution passed unanimously at the General Meeting of the Union held on 19-2-1927. The Resolution requests Government to take steps to introduce a legislative enactment on lines of the Trade Union Act in British India. At present there are 4 Labour Unions in the State of which one is registered under the Charitable Societies Regulation III of 1904 and the remaining three have recently applied for such registration. The real interests of labour cannot be safeguarded by any organisation registered under the Regulation of 1904. This Regulation only provides for the recognition of Societies established for the promotion of literature, science, the fine arts or for the diffusion of useful knowledge or for charitable purposes. As explained in my letter No.G.821-C dated 18-2-1927, I am doubtful if a union organised for the protection of the wage earning classes can be held to come under the purview of Regulation III of 1904. I would therefore recommend that Government may be moved to sanction the introduction of a Trade Union Bill on lines of the enactment relating that subject in force in British India.

I have the honour to be,
Sir,
Your most obedient servant,

C Ranganatha Rao Sahib
Offg. Director.

SDN-2)

WD 0:229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat | File No. | of 192

29

Letter No.11 dated 25-2-1927 from the President, The Bangalore Textile Labour Union, Bangalore, to the Director of Industries and Commerce, Bangalore.

-oo-

I have the honour to forward herewith a copy of the resolution passed unanimously at the General Meeting of the Union held on the 19th. instant.

The resolution reads as under:-

" Resolved that the Government of His Highness the Maharaja of Mysore be respectfully approached to introduce the "Trades Union Act", as existing in British India, into the Mysore Legislature."

" C o p y. "

Offg. Director.

SDN)

NOTE—Contn. Sheet

50

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Section 9K

File No. 36a-26

Serial No. 3

No. D 8617 dt 7/4/27

Received

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The Secy. Bd. of Rx.

Sir

In forwarding herewith copy of letter from the Bd. of Rx recommending the introduction into the State a legislation on the lines of the Br. Indian Trades Union Act, I am directed to state that Govt. would be glad to have the opinion of the Bd. of Rx in the matter.

I have etc.

Date of issue 7.4.27

Signed by [illegible]

4/4/27

WR 31/3

for Secy.

List of enclosures.....

Copied by.....

Examined by.....

Received 30.3.27.

over

WD 01265—GPB—31,000—24-12-25

31 Dte 300-26-4.

8487

GEN. & REV. SECRETARIAT
11 JUNE 1927
DEVELOPMENT BRANCH.

Board of Industries & Commerce,

No. 1071

Bangalore, dated 16th June *192* 7.

From

R. ANANTASUBRAMANYAM, Esq., B.A., B.L.,
SECRETARY, BOARD OF INDUSTRIES AND COMMERCE,
BANGALORE.

To

N. Rama Rao, Esq, B.A., B.L.,
Secretary to Government,
Development Departments.

Sir,.

With reference to your letter No. D. 8617/ I & C 300-26-2 dated 7th April 1927 inviting the opinion of the Board regarding the introduction into the State of legislation on the lines of the British Indian Trades Union Act, I am directed to note below the resolution passed by the Board at the meeting held on 1st June 1927.

" That the introduction of a legislative measure similar to the British Indian Act was necessary and that Government may be requested to refer the draft Bill to the Board for consideration of the departed provisions made in it."

The main file is before II Member. This will be submitted after receipt of the main file from the member

I have the honour to be,
Sir,
Your most obedient servant,

Secretary.

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Section 1(c)

File No. 330-26

Seria No. 9

No. 105/Estbs

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

Date of issue 15/10/25

Signed by M. St. Nevill

To Sir B.N. Seal

Dear Sir,

I am directed to enclose for favour of your opinion a draft of a G.O. which it is proposed to issue constituting a Committee with you as Chairman for going into the question of Trades Unions legislation in Mysore. I am to request you for your suggestions as to the personnel of the Committee. Kindly do so.

Yours sincerely

M.S.N.

List of enclosures.....

Copied by.....

Examined by.....

over

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Ite 300-26-10

UNIVERSITY OF MYSORE

33

CONFIDENTIAL

Granite Castle, Bangalore.
MYSORE

RAJATANTRAPRAVINA
DR. B. N. SEAL,
Vice-Chancellor.

Dated the 22nd October 1927.

GEN. & REV. BRCH.
3438
25 1927
DEVELOPMENT BRANCH.

D.O.

Dear Mr. Rama Rao,

With reference to your letter dated the 14/15th October 1927 sending me the draft of a Government Order constituting a Committee with myself as Chairman for going into the question of Trades Unions Legislation and asking for suggestions as to the personnel of the Committee, I would propose the addition of Rao Bahadur Mr. M.C.Rangiengar of Mysore and Mr.K.B.Madhava, Professor of Statistics and Mathematical Economics at the Maharaja's College, Mysore, to the proposed Committee. A trained lawyer of ripe judgment like Mr. Rangiengar would be very desirable on the Committee, and Mr. Madhava has already made a careful study of strikes and labour problems, and contributed papers on the subject to the Economic Conference.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

new conditions are not
in fully discussion
& those are Bro Industrial
disputes that
an enactment with like
of Act XVII of 1926 – Indian
Trade Unions Act: would
not be insoluble but
first consideration
that legislation should
be adapted as closely as
possible to the special
features of the exact conditions
actually ascertained to
exist here in regard to the

Capital & labour and
distribution economic and so
classes from which labour
is recruited and the relati
which obtain between
employer employed They
are therefore pleased to
accept the Committee's
(findings based on wide
powers in the terms of
the draft)

Proceedings of the Government of H.H.
the Maharaja of Mysore.

O r d e r No.D.

Dated Bangalore, October 1927.

The development of industries has led to the employment of labour on a large scale; and in Mysore, as in the rest of India, labour is manifesting a growing self-consciousness, accompanied with a desire to organise itself for protecting and furthering its interests by collective bargaining, ventilation of -- grievances and formulation of demands. This movement, ~~which is natural and desirable in itself,~~ has to be recognised and directed on right lines; and to this end it is necessary to provide for some measure of registration and State control.

In British India, associations of labour are regulated by Act XVI of 1926 -Indian Trade Union Act. There is, at present, no similar enactment in Mysore. That a desire to form similar associations exists in Mysore is evidenced by the fact that four labour unions have -- already been formed. One of these has been registered under the Charitable Societies Regulation (III of 1904) which, however, does not strictly apply to associations other than those ~~specially~~ specifically intended for the promotion of literature and general culture. The other three unions have applied for registration under the same Regulation. It is obvious -- that the time has arrived for legislative -- action to recognise and register Trade Unions in Mysore.

3. As our conditions are not dissimilar to those in British India, it is proposed to introduce legislation on the lines of the Indian Trade Unions Act of 1926, adapted suitably to our requirements. Government are therefore pleased to constitute a Committee consisting of the marginally noted gentlemen, to go into the question ~~as to what extent and with what alterations and modifications~~ of fully and suggest the main features of the legislation which may be introduced into Mysore and draft a regulation for the consideration ~~and orders~~ of Government.

4. The Committee may co-opt any other official or non-official members if considered necessary, ~~and~~ They are requested to submit their report before the end of February 1928.

1. Dr. Sir Brajendra Nath Seal, Kt., M.A, Ph.D., D.Sc. (Chairman)
2. N. S. Subba Rao Esq., M.A., Bar-at-law.
3. D. N. Sirur Esq., General Manager, Mysore Spinning and Manufacturing Co., Ltd., Bangalore.
4. Ralph Nye Esq., M.L.C., K.G.F.
5. C. V. Raja Gopal Esq., M.L.C., K.G.F.
6. C. Ranganatha Rao Sahib Esq., B.A., B.L., Director of Industries and Commerce (Secretary

Secretary to Government,
Dev. Deptts.

To

The Director of I. & C.
The Members of the Committee.

77

Proceedings of the Government of
H.H. the Maharaja of Mysore.

- - -

Order No. D. 4793-801

Dated 8.....11.....29

9k 300-26-11

The development of industries has led to the employment of labour on a large scale; and in Mysore, as in the rest of India, labour is manifesting a growing self-consciousness, accompanied with a desire to organise itself for protecting and furthering its interests by collective bargaining, ventilation of grievances and formulation of demands; and the time has arrived for considering what legislative action should be taken for recognising this movement by registering associations and directing it on right lines by providing for some measure of State control.

8. 11. 29
Signed by
H.H.

2 As our conditions are not essentially dis-similar to those in British India, it is probable that an enactment on the lines of Act XVI of 1926 -Indian Trade Unions Act- may not be unsuitable, but Government consider it desirable that legislation should be - adapted as closely as possible to the ~~exact~~ conditions ascertained to exist here in regard to the economic and socialogical position of labour and the subsisting relations between employees (?) and employed. They are therefore pleased to appoint a committee consisting of the marginally-noted gentlemen, to go into

1. Dr. Sir Brajendra Nath Seal, Kt., M.A., Ph.D., D.Sc. (Chairman)
2. N.S. Subba Rao, Esq., M.A., Bar-at-Law.
3. D.N. Sirur, Esq., General Manager, Mysore Spinning & Manufacturing Company, Ltd., Bangalore.
4. Ralph Nye, Esq., M.L.C., K.G.F.
5. O.V. Rajagopal, Esq., do
6. C. Ranganatha Rao Sahib, Esq. B.A., B.L., Director of Industries & Commerce.
7. Rao Bahadur M C Ranga Gowda BA
8. Mr K B Madhava M A (Hons)
9. M. Ramachendra Rao Sirdar
9. V. L D'Souza, B Com (Secretary)

the question fully and suggest the main feature of the legislation which may be introduced into Mysore and draft a ~~Regulation~~ Bill for the considera tion of Government.

The Committee may co-opt any other official or non-official members, if considered necessary. They are requested to submit their report before the end of ~~February~~ June 1928.

Secretary to Government,
Development Departments.

To

The Director of Industries & Commerce,
The Members of the Committee.

App. F. VI G 10.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

~~A Committee to draft a bill~~ Legislation on the lines of the Trademarks Act.
Constitutes a committee to examine the question of introducing

G. O. No. D. 4793-801 | Dk 300-26-11 DATED 8th Nov. 97

May this be

i. printed?
ii. treated as a standing order? } No.
iii. published in the Gazette English Part? yes
iv. translated? yes
v. placed at the disposal of the press? yes
vi. published in the Gazette Kannada Part? yes

No orders on the above

8.11.97

10/11

10/11